

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Steven H. Rice	)	Art Unit:	2837
Serial No.	09/814,581	)	Examiner:	Hsieh, S.
Filed:	March 21, 2001	)	Cust. No.	22931
For:	METHOD AND APPARATUS	)	Attorney	
	FOR A DEVICE TO CREATE	)	Ref. No.:	P313641
	A MUSICAL NOISE			

**DECLARATION OF ROBERT B. HUGHES**

1. I, Robert B. Hughes, living at 9580 Red Mountain Lane, Maple Falls, WA 98266, swear the following to be truthful under penalty of perjury of law.
2. This declaration is related to the surrounding circumstances of the abandonment of the application having Serial Number 09/814, 581.
3. After reviewing the physical file, I reviewed correspondence sent by myself to Stephen H. Rice on June 14, 2002. During this time, our office maintained proper dockets on all of the matters and mailed the letter enclosed herewith as Attachment A to Mr. Rice.
4. It is my best recollection that Mr. Rice did not contact myself or our office to pay the issue fee.

Signed at city of Bellingham, County of Whatcom, State of Washington this 6<sup>th</sup> day of January, 2009.

Respectfully submitted,  
ROBERT B. HUGHES,

  
Robert B. Hughes